

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY MAY 9, 2011

AMENDED IN ASSEMBLY FEBRUARY 28, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 160

Introduced by Assembly Member Portantino

January 19, 2011

An act to amend Section 48800 of, and to add Sections 48803 and 76002.5 to, *Section 48803* to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 160, as amended, Portantino. Concurrent enrollment in secondary school and community college.

(1) Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time students, subject to parental permission. Existing law makes the authority of a school principal to recommend a pupil for community college summer session contingent upon a determination that the pupil meets various criteria and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately prior to the time of recommendation for summer session attendance, except as specified.

~~This bill instead would authorize the governing board of a school district to authorize those pupils to attend a community college upon notification that the secondary school pupil has exhausted all~~

~~opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other program offered by that district, as specified.~~

~~The~~

This bill would authorize the governing board of a community college district to enter into a formal partnership with a school district or school districts located within its immediate service area to allow secondary school pupils to attend a community college if those pupils have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other programs offered by the local governing board of the school district, and if those pupils may benefit from advanced scholastic, career-technical, or vocational coursework. The bill would require the partnership agreement to outline the terms of the partnership, as specified. The bill would require, for each partnership entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges.

(2) Existing law requires the governing board of a community college district to assign a low enrollment priority to a pupil attending community college pursuant to a recommendation from his or her principal or school district or a petition from his or her parents, in order to ensure that these pupils, admitted as special students, do not displace regularly admitted students.

~~This bill also would prohibit~~ *authorize* the governing board of a community college district ~~from assigning to assign~~ an enrollment priority to students attending community college pursuant to a partnership agreement established under the bill ~~to ensure that they do not displace regularly admitted students.~~

~~This~~

The bill would prohibit a community college district from receiving an allowance or apportionment for an instructional activity for which a school district has been, or will be, paid.

~~This bill would require the governing board of a community college district to limit enrollment of special part-time or full-time students for summer session attendance to no more than 5% of the total number of pupils who completed a grade immediately prior to the time of attendance, except as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Campuses of the California Community Colleges are located
4 throughout California and provide an educational resource for all
5 communities.

6 (b) Existing law allows certain high school pupils to take classes
7 at community colleges. These pupils are known as special-admits
8 and the programs in which they participate are known as concurrent
9 enrollment programs. The main target of these programs is
10 advanced education and the work completed in them is primarily
11 defined as college-level work.

12 (c) Existing law imposes strict limits on concurrent enrollment
13 programs. Only 5 percent of the pupils in any high school class
14 may enroll in a community college during summer sessions. In
15 addition, the types of classes pupils may take pursuant to these
16 programs are generally limited to advanced education classes.

17 (d) A serious abuse of concurrent enrollment programs by a few
18 school districts and community college districts several years ago
19 resulted in statutory reform and restrictions on this type of
20 enrollment.

21 (e) The current restrictions inhibit the ability of school districts
22 and their pupils to make maximum use of community college
23 facilities and opportunities. The time has come to encourage and
24 expand these valuable programs, but with appropriate statutory
25 prohibitions to guard against a repeat of the abuses of the past.

26 (f) Allowing high school pupils to take community college
27 courses could provide benefits to pupils and to the state in
28 numerous ways, including more opportunities for advanced
29 scholastic work, career-technical partnerships and coursework,
30 basic skills remediation, preparation for the high school exit
31 examination, English as a second language, and dropout prevention.

32 (g) Exposure to college classes and the college environment
33 while in high school improves college participation rates.

34 (h) Concurrent enrollment saves money for both the state and
35 the pupils and provides for more effective use of facilities.

1 ~~SEC. 2. Section 48800 of the Education Code is amended to~~
2 ~~read:~~

3 ~~48800. (a) The governing board of a school district may~~
4 ~~determine which pupils would benefit from advanced scholastic~~
5 ~~or vocational work. The intent of this section is to provide~~
6 ~~educational enrichment opportunities for a limited number of~~
7 ~~eligible pupils, rather than to reduce current course requirements~~
8 ~~of elementary and secondary schools, and also to help ensure a~~
9 ~~smoother transition from high school to college for pupils by~~
10 ~~providing them with greater exposure to the collegiate atmosphere.~~
11 ~~The governing board may authorize those pupils, upon notification~~
12 ~~to the principal of the pupil's school of attendance that the~~
13 ~~secondary school pupil has exhausted all opportunities to enroll~~
14 ~~in an equivalent course at the high school of attendance, adult~~
15 ~~education program, continuation school, regional occupational~~
16 ~~center or program, or any other programs offered by the governing~~
17 ~~board of that school district, and with parental consent, to attend~~
18 ~~a community college during any session or term as special part-time~~
19 ~~or full-time students and to undertake one or more courses of~~
20 ~~instruction offered at the community college level.~~

21 ~~(b) If the governing board denies a request for a special part-time~~
22 ~~or full-time enrollment at a community college for any session or~~
23 ~~term for a pupil who is identified as highly gifted, the governing~~
24 ~~board shall issue its written recommendation and the reasons for~~
25 ~~the denial within 60 days. The written recommendation and denial~~
26 ~~shall be issued at the next regularly scheduled board meeting that~~
27 ~~falls at least 30 days after the request has been submitted.~~

28 ~~(c) A pupil shall receive credit for community college courses~~
29 ~~that he or she completes at the level determined appropriate by the~~
30 ~~governing boards of the school district and community college~~
31 ~~district.~~

32 ~~(d) (1) Upon notification to the principal of a pupil's school of~~
33 ~~attendance that he or she has exhausted all opportunities to enroll~~
34 ~~in an equivalent course at the high school of attendance, adult~~
35 ~~education program, continuation school, regional occupational~~
36 ~~center or program, or any other programs offered by the governing~~
37 ~~board of that school district, a pupil may enroll in a community~~
38 ~~college summer session only if that pupil meets both of the~~
39 ~~following criteria:~~

1 ~~(A) Demonstrates adequate preparation in the discipline to be~~
2 ~~studied.~~

3 ~~(B) Exhausts all opportunities to enroll in an equivalent course,~~
4 ~~if any, at his or her school of attendance.~~

5 ~~(2) For any particular grade level, no more than 5 percent of the~~
6 ~~total number of pupils who completed that grade immediately prior~~
7 ~~to the time of recommendation may attend a community college~~
8 ~~summer session. The school principal shall notify the local~~
9 ~~community college district when 5 percent of the pupils in a~~
10 ~~particular grade level have notified the principal that they intend~~
11 ~~to attend a community college during summer session.~~

12 ~~(3) A high school pupil shall not be included in the 5-percent~~
13 ~~limitation of pupils allowed to enroll pursuant to paragraph (2) if~~
14 ~~the course in which the pupil is enrolled meets one of the criterion~~
15 ~~listed in subparagraphs (A) to (C), inclusive, and the high school~~
16 ~~principal provides the Chancellor of the California Community~~
17 ~~Colleges, upon the request of that office, with the data required~~
18 ~~for purposes of paragraph (4).~~

19 ~~(A) The course is a lower division, college-level course for~~
20 ~~credit that is designated as part of the Intersegmental General~~
21 ~~Education Transfer Curriculum or applies toward the general~~
22 ~~education breadth requirements of the California State University.~~

23 ~~(B) The course is a college-level, occupational course for credit~~
24 ~~assigned a priority code of "A," "B," or "C," pursuant to the~~
25 ~~Student Accountability Model, as defined by the Chancellor of the~~
26 ~~California Community Colleges and reported in the management~~
27 ~~information system, and the course is part of a sequence of~~
28 ~~vocational or career technical education courses leading to a degree~~
29 ~~or certificate in the subject area covered by the sequence.~~

30 ~~(C) The course is necessary to assist a pupil who has not passed~~
31 ~~the California High School Exit Examination (CAHSEE), does~~
32 ~~not offer college credit in English language arts or mathematics,~~
33 ~~and the pupil meets both of the following requirements:~~

34 ~~(i) The pupil is in his or her senior year of high school.~~

35 ~~(ii) The pupil has completed all other graduation requirements~~
36 ~~prior to the end of his or her senior year, or will complete all~~
37 ~~remaining graduation requirements during a community college~~
38 ~~summer session, which he or she is recommended to enroll in,~~
39 ~~following his or her senior year of high school.~~

~~(4) On or before March 1 of each year, the Chancellor of the California Community Colleges shall report to the Department of Finance the number of pupils recommended pursuant to paragraph (3) who enroll in community college summer session courses and who receive a passing grade. The information in this report may be submitted with the report required by subdivision (c) of Section 76002.~~

~~(5) The Board of Governors of the California Community Colleges shall not include enrollment growth attributable to paragraph (3) as part of its annual budget request for the California Community Colleges.~~

~~(6) Notwithstanding Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 of Division 2, compliance with this subdivision shall not be waived.~~

~~(e) Paragraphs (3), (4), and (5) of subdivision (d) shall become inoperative on January 1, 2014.~~

~~SEC. 3.~~

SEC. 2. Section 48803 is added to the Education Code, to read:

48803. (a) (1) The governing board of a community college district may enter into a formal partnership with a school district or school districts located within its immediate service area in order to provide secondary school pupils who have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other programs offered by the ~~local~~ governing board of the school district with the opportunity to benefit from advanced scholastic, career-technical, or vocational coursework. A secondary school pupil, upon notification of the principal of the pupil's school of attendance that the pupil has exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other program offered by the ~~local~~ governing board of the school district, and with parental consent if the pupil is under 18 years of age, may attend a community college during any session or term as a special part-time or full-time student.

(2) A participating community college district shall adopt a partnership agreement with each school district partner. The partnership agreement shall be approved by the governing board

1 of the community college district and the governing board of the
2 school district.

3 (3) (A) The partnership agreement shall outline the terms of
4 the partnership; and may include, but not necessarily be limited
5 to, the scope, nature, and schedule of courses offered. The
6 partnership agreement may establish protocols for information
7 sharing and joint facilities use.

8 (B) A copy of the partnership agreement shall be filed with the
9 department and with the ~~office~~ *Office* of the Chancellor of the
10 California Community Colleges ~~prior to~~ *before* the start of a
11 program authorized by this article.

12 (4) It is the intent of the Legislature, in enacting this section, to
13 provide a smoother transition from high school to college for pupils
14 by providing them with greater exposure to the collegiate
15 atmosphere; and to maximize the educational opportunities
16 available to California's secondary school pupils by encouraging
17 programs and partnerships between school districts and community
18 college districts, including advanced scholastic, vocational, and
19 career-technical coursework, summer school opportunities, and
20 dropout intervention.

21 (5) A community college district shall not provide physical
22 education course opportunities to secondary school pupils pursuant
23 to this section.

24 (6) A pupil shall receive credit for community college courses
25 that he or she completes at the level determined to be appropriate
26 by the *governing boards of the* school district and ~~community~~
27 ~~college governing boards~~ *the community college district* pursuant
28 to the partnership agreement as described in paragraph (2).

29 (b) (1) A community college district shall not receive a state
30 allowance or apportionment for an instructional activity for which
31 a school district has been, or shall be, paid an allowance or
32 apportionment.

33 (2) The attendance of a pupil at a community college as a special
34 part-time or full-time student pursuant to this section is authorized
35 attendance for which the community college shall be credited or
36 reimbursed pursuant to Section 48802 or 76002, provided that no
37 school district has received reimbursement for the same
38 instructional activity. Credit for courses completed shall be at the
39 level determined to be appropriate by the governing boards of the
40 school district and the community college district pursuant to the

1 partnership agreement as described in paragraph (2) of subdivision
2 (a).

3 (c) For purposes of this section, a special part-time student may
4 enroll in up to, and including, 11 units per semester, or the
5 equivalent thereof, at the community college he or she attends.

6 (d) Notwithstanding subdivision (e) of Section 76001, for
7 purposes of this section, the governing board of a community
8 college district ~~shall not~~ *may* assign an enrollment priority to pupils
9 admitted as special part-time or full-time students under this ~~section~~
10 ~~in order to ensure that these students do not displace regularly~~
11 ~~admitted students.~~ *section.*

12 (e) Community college districts and school districts that enter
13 into a partnership pursuant to this section shall be exempt from
14 concurrent enrollment provisions pursuant to subdivisions (a) and
15 (b) of, and paragraphs (1), (2), and (3) of subdivision (d) of, Section
16 48800.

17 (f) (1) For each partnership entered into pursuant to this section,
18 the affected community college district and school district shall
19 report annually to the Office of the Chancellor of the California
20 Community Colleges all of the following information:

21 (A) The total number of secondary school pupils enrolled in
22 each program, classified by the school district.

23 (B) The total number of successful course completions of
24 secondary school pupils enrolled in each program, classified by
25 the school district.

26 (C) The total number of successful course completions of
27 students in courses equivalent to those courses tracked under
28 subparagraph (B) in the general community college curriculum.

29 (2) The annual report required by this subdivision shall be
30 transmitted to all of the following:

31 (A) The Legislature.

32 (B) The Director of Finance.

33 (C) The Superintendent.

34 (D) The governing board of each participating community
35 college district.

36 (E) The governing board of each participating school district.

37 ~~SEC. 4. Section 76002.5 is added to the Education Code, to~~
38 ~~read:~~

39 ~~76002.5. Pursuant to subdivision (d) of Section 48800, the~~
40 ~~governing board of a community college district shall limit~~

1 enrollment of special part-time or full-time students for summer
2 session attendance to no more than 5 percent of the total number
3 of pupils who completed that grade immediately prior to the time
4 of attendance, except as provided in subparagraphs (A), (B), and
5 (C) of paragraph (3) of subdivision (d) of Section 48800.

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